

SENATE No. 617

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act supporting equal access to community care for elders and the disabled.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/30/2017</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/1/2017</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>	<i>2/1/2017</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/2/2017</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/2/2017</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/3/2017</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/3/2017</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/21/2017</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	

SENATE No. 617

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 617) of James B. Eldridge, Denise Provost, Sal N. DiDomenico, Jason M. Lewis and other members of the General Court for legislation to support equal access to community care for elders and the disabled. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act supporting equal access to community care for elders and the disabled.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 25 of chapter 118E of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended in subsection (5) by striking out the second paragraph and
3 inserting in place thereof the following paragraph:-

4 In any case where the monthly income of an applicant or recipient is in excess of the
5 exemptions allowed, the applicant or recipient, if otherwise eligible for Medicaid under this
6 chapter, shall be liable to pay to the provider of medical care or service an amount which shall be
7 equal to the excess income for a period of six consecutive months, which includes the period
8 when such service was provided; provided, however that in such cases where the individual's
9 gross income is greater than 300% of the federal Supplemental Security Income level but less
10 than the average monthly cost of nursing home care as calculated by the division and the
11 individual is participating in a Home and Community Based Waiver, under 42 USC
12 1396a(10)(a)(ii)(VI) or a PACE Program, under 42 USC 1396u-4 or 42 USC 1395eee, the

13 division shall charge a premium, equal to the difference between the individual's gross income
14 and 300% of the federal Supplemental Security Income level, on a monthly basis. The division
15 shall apply for any federal waivers necessary to implement this provision.